

EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOUREY NEWELL, individually and on behalf
of a class of all persons and entities similarly
situated,

Plaintiff

vs.

LENDVIA, LLC

Defendant.

Case No. 25-1018-GJP

**DECLARATION OF Rounak Adhikary IN SUPPORT OF
DEFENDANT LENDVIA LLC'S MOTION TO COMPEL ARBITRATION**

I, Rounak Adhikary, declare as follows:

1. I am over the age of 18 and make this declaration on my personal knowledge.
2. I am, and was, CTO of Verified Consent at all times relevant to the facts stated herein. I am familiar with Verified Consent's business practices and records, including the certificates and lead records it generates and maintains.
3. Verified Consent is a third-party service provider that offers consent verification services for online marketing. Verified Consent provides independent documentation of a consumer's interaction with a website, including the date, time, IP address, website URL, and a live recording of the playback of the online form being filled out. Verified Consent can verify that a consumer visited a specific webpage and took specific actions, such as submitting a form.

4. When a consumer visits a webpage that utilizes Verified Consent's service and begins filling out the form, the recording process begins automatically. It ends once that form is submitted.
5. Verified Consent has provided services for many websites, including <https://upfinances.com/apply> (the "Website").
6. I have personally reviewed Verified Consent's records related to the lead generated for Plaintiff Jourey Newell and the phone number ending in 4132. *See* Exhibit A – Verified Consent. These records show that on December 8, 2024, Plaintiff visited the Website, entered his personal information and phone number, and clicked the "Submit" button to complete the form submission process. *Id.*
7. A Verified Consent certificate documenting this interaction was automatically generated at the time of submission. *See* Exhibit A – Verified Consent. This certificate includes a video replay of Plaintiff filling out and submitting the form, as well as the metadata verifying the date, time, IP address, and website URL.
8. When Plaintiff submitted the form, the Website displayed the following disclosure language directly above the "Submit" button:

By checking this box and clicking SUBMIT, I express my understanding and consent electronically via E-sign that I acknowledge and agree to the Privacy Policy and Terms of Use, which includes binding arbitration. I consent to the electronic collection and storage of my application information necessary to evaluate my loan application. I grant express written consent for Better Debt Solutions and Lendvia to contact me by calls and/or text messages at the number provided, regarding my application status and scheduling, using any telephone dialing system, prerecorded/artificial voice messages, and/or automatic dialing devices. I understand that text messages may incur data and message rates and frequency varies (text HELP for help; text STOP to cancel). Even if my phone number is currently listed on any state, federal, or corporate Do-Not-Call list, this consent is provided. I understand I may revoke this consent at any time and am not required to consent as a condition of purchase any

property, goods, or services. Consent for SMS and calls will not be shared with third parties for their marketing purposes.

9. This disclosure included hyperlinks to the Privacy Policy and Terms of Use, which it states contain a binding arbitration agreement. As illustrated in the image below, the hyperlinks were displayed in bright blue, underlined text, making them conspicuous to the user.

☒ By checking this box and clicking SUBMIT, I express my understanding and consent electronically via E-sign that I acknowledge and agree to the [Privacy Policy](#) and [Terms of Use](#), which includes binding arbitration. I consent to the electronic collection and storage of my application information necessary to evaluate my loan application. I grant express written consent for Better Debt Solutions and Lendvia to contact me by calls and/or text messages at the number provided, regarding my application status and scheduling, using any telephone dialing system, prerecorded/artificial voice messages, and/or automatic dialing devices. I understand that text messages may incur data and message rates and frequency varies (text HELP for help; text STOP to cancel). Even if my phone number is currently listed on any state, federal, or corporate Do-Not-Call list, this consent is provided. I understand I may revoke this consent at any time and am not required to consent as a condition of purchasing any property, goods, or services. Consent for SMS and calls will not be shared with third parties for their marketing purposes.

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By Submitting your information, you agree to our Terms & Conditions, Privacy Policy, Credit Authorization and you consent to receive calls, texts and pre-recorded messages from us and third party marketers we contract with.**

10. The Verified Consent certificate serves as immutable proof that Plaintiff visited the Website, reviewed this disclosure, and affirmatively agreed by submitting the form. The certificate confirms that Plaintiff provided express written consent to be contacted and agreed to the Website's Terms of Use, including the arbitration provision.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 24 July, 2025, at

Rounak A

Rounak A (Jul 24, 2025 12:08:37 PDT)

Rounak Adhikary